

## Humanitarian interventions and reasons for the lost opportunity to intervene in the Genocide of Rwanda in 1994

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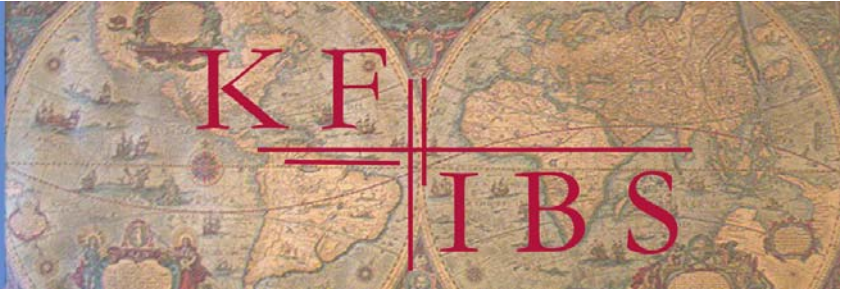
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## **KFIBS • ANALYSIS • ENGLISH VERSION**

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#### **Humanitarian Interventions and Reasons for the Lost Opportunity to Intervene in the Genocide of Rwanda in 1994**

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Since the end of the Cold War, the nature of United Nations peace-keeping operations has changed drastically. Traditional Peacekeeping shifted to peace-keeping operations with a much wider humanitarian focus and more complex operations. This is partially due to the fact that since the end of the Cold War there has been a greater emergence of civil or internal conflicts. New threats, such as internal war, terrorism, repression or state failure, have become apparent within countries that could affect a whole society, especially in cases where the government represses its own population.

The international community had to and still has to address the new wars and humanitarian disasters which also have a negative impact on international security and peace. The UN took an important step forward in publishing the *Agenda for Peace* in 1992, in which Secretary-General Boutros Boutros-Ghali pointed out that it is necessary to secure a common humanity and to protect people rather than the states.<sup>1</sup> To make international interventions, and in particular humanitarian intervention possible, the international community had to "ease" the principle of state sovereignty which assured the non-interference of political actors in the domestic affairs of states.

After 1988 the UN established a tremendous number of new peace-keeping operations, with a wider humanitarian focus. The door was now open for further actions in the field of humanitarian intervention; however this has not always been translated into increased action, on the part of the international community, in the face of such crises. The cases of Rwanda and Somalia illustrate this failure of the international community to act decisively regarding humanitarian issues.

This paper will identify why humanitarian interventions after 1988 have seen enormous restrictions and failures, even though the possibility for an intervention in intra-state conflicts exists and the international community has declared the protection of human rights as one of its highest principles – at least this is written down in concept papers like the *Agenda for Peace* by the UN.

To highlight this, I have chosen the genocide in Rwanda in 1994, where the international community failed before and during a peace-keeping operation to intervene in the

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<sup>1</sup> Report on the Secretary-General Boutros Boutros-Ghali, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping* (A/47/277 – S/24111, 17 June 1992), <[www.un.org/Docs/SG/agpeace.html](http://www.un.org/Docs/SG/agpeace.html)>.

ongoing process of the planning and committing of this crime against humanity. The paper is divided into three chapters:

The first chapter will analyse the shift from traditional peacekeeping to humanitarian intervention. The causes for changing strategies and targets will be illustrated.

The second chapter will pose approaches of humanitarian intervention in intra-state conflicts and will outline, under which circumstances humanitarian interventions are justifiable and what reasons were stated to abolish the dilemma of state sovereignty.

After the theoretical analysis, the examination of the Rwandan case in chapter three will explain why the international community failed in responding to the extreme humanitarian disaster in the country, even if one of its principles is the priority of human rights over state sovereignty.

In the literature, scholars like A. James, A. Roberts, J.M. Rasmussen and W. Verwey discussed the shift of traditional peacekeeping to multifunctional operations. Especially M. Walzer and R. Jackson tried to find explanations as to how the erosion of the principle of sovereignty could be justified to finally make an intervention in internal conflicts possible.

In 2000, the summary *Rwanda: The Preventable Genocide* analysed very precisely the failed international intervention and is a groundbreaking and important document which was written by an international panel of eminent personalities.<sup>2</sup>

## **Traditional Peacekeeping to the new generation of peace-keeping operations**

### Peace-keeping operations until 1988

As a result of the dramatic experiences of World War II, the United Nations Organisation (UN) was founded in order to secure international peace and security in the world. This specific platform provides the opportunity to prevent and to intervene in

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<sup>2</sup> Furthermore, it has to be mentioned that the history of the genocide in Rwanda and its causes cannot be illustrated because of the limited scale of this paper. For any further information regarding this topic, I recommend the books *Eyewitness to genocide: The United Nations and Rwanda* by Michael Barnett and *Shake hands with the devil* by General Roméo Dallaire.

conflicts which could possibly be a threat to peace. The ability to implement peace-keeping operations was created by member states at the beginning of the establishment of the organisation, as crisis control instruments or responses to post-war crisis, such as the Congo. Nonetheless, the basis for international relations during the Cold War was the utter and unconditional recognition of sovereignty<sup>3</sup>, which prevented many interventions from being undertaken by the UN. Nevertheless both superpowers conducted many interventions unilaterally.

Primarily, "traditional peacekeeping consists of the stationing of neutral, lightly armed troops, usually with the permission of the host state, as an interposition force following a cease-fire to separate the combatants".<sup>4</sup> As stated in the quotation, peace-keeping operations in the past only had the function of mitigation, stabilisation, or alternatively, negotiations and the ability to provide assistance in resolving disputes.<sup>5</sup>

More importantly, the group of observers, normally with a military status, would be deployed by the UN to monitor cease-fires or to keep frontier lines under surveillance and to interpose between belligerents.<sup>6</sup> Consequently, all operations were primarily focused on military assistance or observation, which adhered to several key principles. As mentioned, the conflict parties had to consent to the intervention of the UN after a cease-fire. On the part of the peacekeepers, they are expected to be impartial and non-threatening to the conflict parties. This fact implies the non-use of force in most circumstances, except in self-defence.<sup>7</sup> Humanitarian assistance was also provided infrequently, such as during UNEF. But most importantly, peace-keeping operations were more successful in just "freezing conflicts" and their actions were mostly limited by observing cease-fires, than conducting conflict management.

Only 13 peace-keeping operations were established up to the end of 1987. All of them addressed conflicts which had arisen because of the European decolonisation

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<sup>3</sup> J. Macrae; N. Leader, *Shifting Sands: the search for 'coherence' between political and humanitarian responses to complex emergencies*, Humanitarian Policy Group Report Nr. 8 (London: Overseas Development Institute, 2000), p. 11.

<sup>4</sup> Druckman, D.; Wall, J.; Diehl, P., "Conflict Resolution Roles in International Peacekeeping Missions", in: Ho-Won Jeong (ed.), *Conflict Resolution: dynamics, process, and structure* (Aldershot: Ashgate Publishing Ltd., 1999), p. 106.

<sup>5</sup> A. James, *Peacekeeping in International Politics* (London: Macmillan, 1990), p. 4-5.

<sup>6</sup> A. Roberts, "The Crisis in UN Peacekeeping", in: C. Crocker (ed.), *Managing Global Chaos* (Washington: US Institute of Peace, 1997), pp. 297-317, at p. 298.

<sup>7</sup> Ibid., p. 298.

process.<sup>8</sup> However, Boutros Boutros-Ghali mentioned in his *Agenda for Peace* that over 100 major conflicts were documented since the creation of the UN in 1945.<sup>9</sup>

A logical explanation for non-intervention in most of the conflicts is the confrontation between the superpowers. Both sides inhibited collaboration regarding regional conflicts because they feared intrusion in their sphere of political and geographical influence. As Boutros-Ghali noted in his agenda, "[t]he United Nations was ... powerless to deal with any of these crisis because of the vetoes – 279 of them ..."<sup>10</sup> Local or regional conflicts were insulated from regional hegemony and the political influence that the superpowers had in specific parts of the world.

### **Internal conflicts and new threats**

The end of the Cold War was also the end of the blockade for the UN peacekeeping missions. In addition, internal conflicts were revealed, which were "covered" for a long time by rivalry during the Cold War period, or new ones arose by the fact that, after the collapse of the old world order, the states were urged to organise their new political systems, for example former Yugoslavia. Detailed facts to the causes and characteristics of internal conflicts are beyond the scope of this paper, but nonetheless, I would like to outline a few specific features briefly.

Internal conflicts may have historical roots or may have arisen centuries ago. These deep-rooted conflicts are usually prolonged.<sup>11</sup> Since the mid 70s, internal conflicts have emerged in an increased number. The root causes of the most internal conflicts are, for example, weak state structures, instability of the political, economical or social system, and rivalry among groups which seek political power, governments which threaten their own societies, poverty and other extreme humanitarian disasters. "In the extreme case of

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<sup>8</sup> A. Robert (1997), p. 298.

<sup>9</sup> B. Boutros-Ghali, *Agenda for Peace*, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992 (<http://www.un.org/Docs/SG/agpeace.html>), paragraph 14.

<sup>10</sup> Ibid.

<sup>11</sup> J.L. Rasmussen, "Peacemaking in the Twenty-First Century", in: W. Zartman, *Peacemaking in international conflicts* (Washington D.C.: US Institute of Peace Press, 1997), p. 32.

collapsed states, violent interaction is often perceived as a replacement for authoritative decision-making procedures in the absence of normal mechanisms of governance."<sup>12</sup>

Internal conflicts affect the whole society. They affect every individual person within a state; therefore the focus does not lie on the conflicts between states anymore. What have to be protected now are rather individuals than governments. According to this, war has mainly a deep impact on the level of the population. Whereas the wars of the 19<sup>th</sup> century mostly had 80 per cent casualties among the military troops, and 20 per cent civilian casualties, the majority of the casualties during the wars of the 20<sup>th</sup> century were civilians.<sup>13</sup>

Based on these facts, Boutros-Ghali raised the issue *human security* within his *Agenda for Peace*, to protect the populations and victims of new conflicts. But, the question is "[h]ow to address threats to the human rights of whole population groups when the government is either unwilling or unable to do so?"<sup>14</sup> In fact, humanitarian interventions seem to become necessary.

This is the vacuum that humanitarian intervention could fill. In order to address new threats or internal conflicts and to protect common human rights which are declared in the Charter of the UN, the international community should intervene in the domestic affairs of a state. The use of humanitarian aid and the use of force as a last resort can contain or stop tragedies.

Humanitarian Intervention is the threat or use of force by a state or states abroad, for the sole purpose of preventing or putting a halt to a serious violation of fundamental human rights, in particular the right to life of persons, regardless of their nationality, ...<sup>15</sup>.

Further to the quotation of W. Verweys, it has to be mentioned that today's peace-keeping operations are not limited to a military mandate anymore and have complex

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<sup>12</sup> J.L. Rasmussen (1997), p. 36.

<sup>13</sup> Professor Herfried Münkler, speech at the Conference on Causes of War in Berlin, German Parliament, 31 January 2004.

<sup>14</sup> J. Macrae, *The new humanitarianisms: a review of trends in global humanitarian action*, Humanitarian Policy Group Report Nr. 11 (London: Overseas Development Institute, 2002), p. 6.

<sup>15</sup> W. Verweys, "Legality of humanitarian intervention after the Cold War", in: Ferris, *The Challenge to Intervene: A new role for the United Nations?* (Uppsala: Life and Peace Institute, 1992), p. 114.

agendas. The UN has already widely improved and expanded the mechanisms of its traditional peace-keeping operations to multifunctional missions, which include broad humanitarian assistance, fact-finding, monitoring, support for civil administration and many more.<sup>16</sup> Also, the exclusive deployment of military personnel has shifted towards wider employment of staff with a more humanitarian background. The missions are usually supported by humanitarian non-governmental organisations.

Even if the new generation of peace-keeping operations responded to intra-state conflicts and the need for humanitarian assistance, the consent of host states is still necessary. But how should the international community react to crimes against humanity undertaken by a government which suppresses its own population? Is it not an obligation to intervene to protect civilians and human rights? Humanitarian intervention would go beyond the present idea of peace-keeping operations and would require a rethinking of possibilities for interventions as well as an extended legal basis.

The next chapter will look at approaches to humanitarian intervention.

### **Approaches to humanitarian intervention and the dilemma of sovereignty**

The idea of humanitarian intervention in intra-state conflicts would challenge the taboos surrounding state sovereignty. The international lawyer Christine Gray asked the question, if the principle of territorial integrity or political independence should be enough to prohibit all use of force against another state, could they allow the use of force without overthrowing the government?<sup>17</sup> With the purpose of the UN, humanitarian intervention does not threaten territorial integrity, nor does it have the aim of overthrowing a government, because humanitarian intervention should help the government or the people to handle the crisis. With the commitment to protect human rights comes the obligation to intervene in the domestic affairs of one state, especially in cases of massive human rights violations.

All governments who have signed the Charter of the UN have accepted the obligation to observe certain standards of human rights and respect humanity in every

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<sup>16</sup> Druckman, Wall and Diehl (1999), p. 106.

<sup>17</sup> C. Gray, *International Law and the Use of Force* (Oxford: Oxford University Press, 2000), p. 24.



sense. When a government, however, fails to provide the basic needs of life and physical security for their people, or more importantly, when a government is oppressing its people, it should be the responsibility of the world community to intervene.<sup>18</sup> It should be an obligation in consideration of high human and moral principles.

"Peacekeeping [operations] began a metamorphosis to meet the new demands and the human consequences of war"<sup>19</sup>. Interventions in internal conflicts by the UN were implemented before, but most commonly accepted after 1990. The concept of sovereignty has been modified with this new approach and humanitarian assistance was undertaken.

However, states like Egypt or India regard this new challenge as controversial. The fear was obvious that Western states could have particular economic or political interests lurking behind humanitarian claims.<sup>20</sup> Juxtaposed to this, "[Nations] argue that since the conflict is internal, their actions fall outside the realm of international law."<sup>21</sup> Nevertheless, a humanitarian crisis is an international matter and can not be dismissed.

According to Robert Jackson, the principle of sovereignty, which was established with the treaty of Westphalia in 1648, has two components. The *judicial* element implies the right of independence and self-determination. In other words, this so-called "negative sovereignty" is the traditional protection against the interference of states in the domestic affairs of another one. "Negative sovereignty" is an essential and justified part of international law.<sup>22</sup>

On the other hand, the *empirical* component describes the extent to which a state can act as a state. This questions if the state is able to provide basic services, and to which extent the government can defend its own borders and maintain international and national law.<sup>23</sup>

The discussion among scholars about intervention and sovereignty is the decisive factor for approaches to humanitarian intervention. These either advocate *absolute non-intervention*, justifying the use of force exclusively in self-defence; or humanitarian intervention in a limited manner – only acceptable in cases of extreme human rights

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<sup>18</sup> B. Atwood; A. Rogers, "Rethinking humanitarian aid in the new era", in: *International Herald Tribune*, 12 March 1997 and B.M. Blechman, "Emerging from the Intervention Dilemma", in: C. Crocker, *Managing Global Chaos* (Washington: US Institute of Peace, 1997), pp. 287-295, at p. 288.

<sup>19</sup> T. G. Weiss; C. Collins, *Humanitarian Challenges and Intervention: World Politics and the Dilemmas of Help* (Colorado, Oxford: Westview Press, 1996), p. 33.

<sup>20</sup> J. Macrae (2002), p. 7.

<sup>21</sup> J.L. Rasmussen (1997), p. 30.

<sup>22</sup> R. Jackson, *Quasi-states: sovereignty, international relations and the Third World* (Cambridge: Cambridge University Press, 1990).

<sup>23</sup> Ibid.

violations. In 1992, the government of the United Kingdom published the following statement: "We believe that international intervention without the invitation of the country concerned can be justified in cases of extreme humanitarian need."<sup>24</sup>

According to Walzer, limited intervention would be implemented in cases of genocide, mass murder or enslavement. This form of intervention achieves its justification with breaking the unwritten social contract between a state and its population. The individuals who constitute a state have the right of protection and the provision of basic services. If the state will break the mutual trust between itself and its population by suppressing people, it should forfeit its rights to maintain its sovereignty.<sup>25</sup> "Governors... lose at least their international legitimacy – their right to protection under the non-intervention principle"<sup>26</sup>.

Scholars, researchers and the international political bodies have to deal with many problems regarding definitions and the scope of this approach. These questions cannot be answered in this format because of its limited scale, but it is important to mention them: Is it justifiable to restrict the definition of massive human rights violations to cases of genocide, mass murder and enslavement? What difference does it make when the population is suppressed by the government over a long period of time without high civilian casualties? When is the right time to intervene? How should an international intervention operate?

Today it is commonly recognised on the international level that there are "moral limits to territorial sovereignty"<sup>27</sup>. The *Agenda for Peace* speeches of politicians within the UN, such as Kofi Annan's demand for an Action Plan to prevent and intervene in cases of genocide, and different scholars, such as Michael Walzer or Thomas G. Weiss, pointed out the challenge of sovereignty and the obligation to act and intervene in cases of massive human rights violations. Reality, however, looks different.

The failure of the intervention in the Rwandese genocide made clear that the international community is not able or willing to response to a humanitarian tragedy. The humanitarian

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<sup>24</sup> Quoted by C. Gray (2000), p. 29.

<sup>25</sup> Michael Walzer, *Just and unjust wars* (London: Allen Lane, 1978), p. 101.

<sup>26</sup> J. Slater; T. Nardin, "Non-intervention and Human Rights", in: *The Journal of Politics*, Vol. 48, No. 1 (February 1986), pp. 86-96, at p. 89.

<sup>27</sup> Ibid., p. 86.

disaster required an adequate response. But the UN was afterwards blamed to be more a bystander than an active protector of the principles it promotes.

The next chapter will analyse how the UN reacted to the genocide in Rwanda.

### **The failure of the humanitarian intervention in Rwanda**

In spite of the clear, inspiring and trend-setting visions of the UN to secure people and protect them from abuse; despite the possible use of peacemaking, peace-building and peacekeeping to respond to new dilemmas of insecurities among societies; and in spite of the easing of absolute and exclusive state sovereignty – the world was shocked when Rwanda happened.

800 000 people were slaughtered in only 100 days, and the world community was a muted eyewitness – they decided to refuse help when it was needed.

What happened to the declarations made by the UN to protect human rights? Why could the UN not back up its words with action? There must be reasons for this non-intervention.

An important document for this case is the 300 page summary of failures made in Rwanda, which were compiled by an international panel of eminent personalities. They were presented an Inquiry Commission set up by the Organisation for African Unity (OAU).

After the war between the Rwandese Patriotic Front (RPF) and the Hutu government led by Juvenal Habyarimana in 1993, the OAU mediated a peace agreement which was signed on 4 August 1993. Towards the end of 1993 the United Nations Assistance Mission in Rwanda (UNAMIR) was established by Security Council Resolution 872 (1993) under Chapter VI, to monitor and assist the implementation of the peace agreement.

It was apparent during the war (1990-1993) and peace talks, that the Hutu elites started the organised ethnic killing of the Tutsi minority. Political institutions, the media and human rights organisations have reported and documented the homicides of people since 1990. In April 1991, the French newspaper *Le Monde* reported on anti-Tutsi propaganda published in the *Kangura* newspaper. The U.S. Department of State and

Amnesty International reported independently of each other the detainment of almost 13,000 Rwandan civilians in February and May 1991. Amnesty also gave an account of torture and rape of civilians.<sup>28</sup>

In March 1992, Human Rights Watch published a document which described the undertaking of massacres in Kabirira in 1990 and the North-West in 1991.<sup>29</sup>

And even when the peace talks were held, the shocking reports did not stop. To analyse the situation in Rwanda more precisely and to call more attention to the human rights violation, an international commission of four human rights organisations conducted a mission in Rwanda by interviewing hundreds of victims and excavating mass graves in January 1993. The commission documented three major massacres of Tutsis by civilians who were incited to kill by the government.<sup>30</sup> In press releases they mentioned the possibility of a future "genocide", but did not include their assessment in the final report.

Another example of evidence, which shows that the UN definitely had information about massacres in Rwanda, is the report by the UN Special Rapporteur on Summary, Arbitrary and Extrajudicial Executions in August 1993 based on his own mission to the crisis area. He concluded afterwards that some massacres "seem to fulfill the Genocide Convention definition of genocide; violence is increasing; extremist propaganda is rampant; and militias are organized".<sup>31</sup>

The Joint Evaluation of Emergency Assistance to Rwanda pointed out that the NGOs did not identify the massacre as genocide until early May.<sup>32</sup> The information above shows that this statement is not true. The continuity of the reports by the NGOs seems to prove strategic actions. The addressees of the documents, such as home governments and international agencies, could definitely gain a clear picture, that the

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<sup>28</sup> International Panel of eminent personalities, *Rwanda: The Preventable Genocide* (Organisation for African Unity: Inquiry Commission, 2000), [www.visiontv.ca/RememberRwanda/Report.pdf](http://www.visiontv.ca/RememberRwanda/Report.pdf), paragraph 9.5, page 55.

<sup>29</sup> International Panel of eminent personalities (2000), p. 55.

<sup>30</sup> Ibid., p. 56.

<sup>31</sup> Ibid.

<sup>32</sup> David Millwood (ed.), Joint Evaluation of Emergency Assistance to Rwanda, *The international response to conflict and genocide: Lessons from the Rwanda experiences*, Study 2: Early warning and conflict management (Joint Eval. of Emergency Assistance to Rwanda, 1996), p. 49.

activities of the political leaders and the *interahamwe*<sup>33</sup> were more than "tribal bloodletting".<sup>34</sup>

There were a thousand early warnings that something appalling was about to occur in Rwanda. If not a genocide, it was at least a catastrophe of so great a magnitude that it should command international intervention.<sup>35</sup>

UNAMIR arrived in Rwanda on October 5, 1993. At that time, lots of reports were already published and Commander General Roméo Dallaire has got a first impression of this "hell", as he called the situation in Rwanda in those days.<sup>36</sup>

Dallaire and other UNAMIR officials were keenly aware of this strange situation from the beginning of their mission. Nobody believed in a politically strong group which could bring peace to Rwanda.<sup>37</sup> Their assessment has been proven true by the information of Jean-Pierre Turatsinze, an interahamwe commander, who met the UN officials secretly on January 10, 1994. Turatsinze decided to inform UNAMIR, because he disagreed with the plans of the government in Rwanda and could not support the anti-Tutsi exterminations. The interahamwe commander explained the transformation of the interahamwe from the Presidential Guard into a killing machine which could kill 1000 Tutsis in 20 minutes. The government and militias had stockpiled weapons, recruited and trained Hutus, and made lists of Tutsi targets for extermination. The plan was also to target Belgian soldiers, and so the Belgians decided to withdraw their troops from Rwanda.<sup>38</sup>

Dallaire immediately sent a cable to the UN headquarters in New York to inform them that he wanted to seize the arms caches revealed by Turatsinze and to give him and his family military protection. Maurice Baril (DPKO Military Adviser), Iqbal Riza (Assistant Secretary-General for Peacekeeping), and Hedi Annabi (DPKO's Chief of the African section) refused Dallaire's plans and gave him the order to inform the French, American and Belgian embassies. Flippantly, the DPKO gave Dallaire also the order "to

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<sup>33</sup> *Interahamwe*: militias, who were involved in genocidal activities.

<sup>34</sup> International Panel of eminent personalities (2000), paragraph 10.7.

<sup>35</sup> Ibid., paragraph 9.16.

<sup>36</sup> "The last just man", documentary film by Stephen Silver, 2003.

<sup>37</sup> Michael Barnett, *Eyewitness to a genocide: the United Nations and Rwanda* (Ithaca, New York: Cornell University Press, 2002), p. 77.

<sup>38</sup> International Panel of eminent personalities (2000), paragraph 9.13.

deliver a strongly worded demarche to President Habyarimana regarding the seriousness of the allegations"<sup>39</sup>, even if Turatsinze already mentioned that the activities were planned within the government.

Dallaire had to comply with this order. The members of the Rwandan government seemed surprised when Dallaire reproached them and continued "his" commitment to the peace process. Almost three months after Jean-Pierre gave the information to UNAMIR, the Hutu Power leader Theoneste Bagasora spoke in front of politicians including high-ranking UN officials that "the only plausible solution for Rwanda would be the elimination of the Tutsis".<sup>40</sup>

The starting point for the implementation of this plan was the death of President Habyarimana who died in an airplane crash<sup>41</sup> on April 6, 1994. In the next 24 hours, the civil war was renewed, the political opponents were killed by the interahamwe and mass killings of Tutsis were started which was the beginning of the genocide.<sup>42</sup>

Dallaire reported all incidents to the UN headquarters in New York by sending several cables with the request to get the permission for an intervention and for saving thousands of Tutsis. Meanwhile, Hutus were called on to kill Tutsis or, more precisely, eliminate the "cockroaches".<sup>43</sup>

Dallaire then sent a cable to New York after the outbreak of the genocide to inform DPKO that he would intervene with his troops within 36 hours, even if his troops did not have adequate equipment; the actions were not within the scope of his mandate. The cable gave DPKO little time to respond and finally the representatives of the office refused Dallaire's plans. Michael Barnett (2002) declares this answer as a reaction of anxiety.<sup>44</sup> But why?

One of the answers to the question is the failure of the UN and especially the loss of 18 American soldiers in Somalia in October 1993.

That made it politically awkward for the US to immediately become involved again in another peace-keeping operation. The Republicans in Congress were hostile to almost any

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<sup>39</sup> Michael Barnett (2002), p. 79.

<sup>40</sup> International Panel of eminent personalities (2000), paragraph 9.13.

<sup>41</sup> Air crash released by a missile which hit the airplane 70 meters before the runway; source: "The last just man", documentary film by Stephen Silver, 2003.

<sup>42</sup> David Millwood (ed.) (1996), p. 41.

<sup>43</sup> Michael Barnett (2002), p. 81.

<sup>44</sup> Ibid., p. 82.

UN initiative regardless of the purpose, and the Somalia debacle simply reinforced their prejudices.<sup>45</sup>

The Department of Peacekeeping Operations (DPKO) lost most of the support of several powerful states within the UN because of the dramatic events in Somalia. When Riza has read the first cable of Dallaire with the information of Turatsinze, he replied only: "Not Somalia again..."<sup>46</sup> The UN officials of DPKO were sure that an extended mission under Chapter VII would never pass the Security Council, would never get the adequate budget and the officials were also concerned about another failure. A new disaster would mean the end of peace-keeping operations.

Normally the western public, mobilised through the media, encourage their governments to engage in international humanitarian crises and deploy troops to help people in the world. But on the other hand, if "body-bags" are coming back to the home countries, the governments are responsible for the casualties.<sup>47</sup> Paradoxically, western societies would like to deploy forces into crisis areas, but cannot accept casualties. Western governments are more than vulnerable when it comes to the next election, and therefore have sought to limit risks regarding international involvement. As Mats R. Berdal points out, to intervene in an ongoing conflict, it means also to reckon with casualties because of an "unpredictable, fluid and dangerous environment".<sup>48</sup> Furthermore, soldiers have to accept the fact that they could die in the field when they choose their profession, even if they do not fight for their own country but for humanity.

In addition, there is a more serious problem than Somalia – political will in general. "[Another] problem was that nothing was at stake for the US in Rwanda. There were no interests to guard. There were no powerful lobbies on behalf of Rwandan Tutsis."<sup>49</sup> Within the Pentagon, US officials prepared lists of which serious international crisis could occur under the new Clinton administration. James Wood, at that time Deputy Assistant Secretary for African Affairs, put Rwanda-Burundi on the list. According to his statement,

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<sup>45</sup> International Panel of eminent personalities (2000), paragraph 12.33.

<sup>46</sup> Interview of Iqbal Riza, documentary film *Triumph of Evil*, 1999.

<sup>47</sup> James Mayall (ed.), *The new interventionism 1991-1994: UN experience in Cambodia, former Yugoslavia and Somalia* (Cambridge: Cambridge University Press, 1996), p. 2 and p. 22.

<sup>48</sup> Mats R. Berdal, *Whither UN Peacekeeping? An analysis of the changing military requirements of UN peacekeeping with proposals for its enhancement* (London: Brassey's (UK) Ltd., 1993), p. 10.

<sup>49</sup> International Panel of eminent personalities (2000), paragraph 12.33.

his supervisor responded in this case: "Take it off the list. US national interest is not involved and we can not put all these silly humanitarian issues on the lists, like important problems like the Middle East, North Korea and so on."<sup>50</sup> In 2000, George W. Bush stated: "We should not send our troops to stop ethnic cleansing and genocide outside our strategic interest. I would not send the United States troops into Rwanda."<sup>51</sup> This reveals the reluctance of the United States as one of the biggest contributors for peace-keeping operations to deal with the crisis in Rwanda.

Therefore, it can be seen that there is a great lack of will. Months before the genocide and several weeks after the beginning of the massacres, the UN and especially as the United States refused to even use the word genocide.<sup>52</sup> They just used the term "killing of members of an ethnic group", "killings of systematic manner" and so on.<sup>53</sup> The use of the word "genocide" would oblige the UN under international law to act and try to stop the crime against humanity. Finally, the expression "acts of genocide" was codified in Resolution S/RES/935 (July 1, 1994), when the Hutus had almost wiped out most of the Tutsis.

France and Belgium have shown other interests: "[T]he French were the Rwandan government's closest ally militarily, politically, and diplomatically."<sup>54</sup> For many years, the Presidents of both governments and their sons were friends and France wanted to keep influence in Africa. In 1993, when the RPF reacted to escalated anti-Tutsi violence with attacks, French support expanded by sending more troops and arms to its ally. Moreover, French troops had monitored RPF positions and were actively involved in the fighting: "France secretly made funds available for arms to be shipped by Egypt as well."<sup>55</sup> In other words, France helped the government in Rwanda to stockpile weapons. Only at the end did France deployed forces for a humanitarian intervention.

Belgium, as the former colonial power, has to bear a part of the responsibility for the hatred which was built up because of its policy over the years under its administration. Nonetheless, Belgium deployed 450 of its best soldiers who arrived in Kigali on November 10<sup>th</sup>, 1993. But the will to help disappeared when 6 Belgian soldiers were killed by the Presidential Guard on April 7<sup>th</sup>, 1994. Three days later, the Belgian government

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<sup>50</sup> Ibid., paragraph 12.35.

<sup>51</sup> American Broadcasting Corporation (ABC), This Week, transcript, 23 January 2000.

<sup>52</sup> "The last just man", documentary film by Stephen Silver, 2003.

<sup>53</sup> Security Council, S/Res/918 (17 May 1994) + S/Res/935 (1 July 1994) (New York: Author).

<sup>54</sup> International Panel of eminent personalities (2000), paragraph 12.4.

<sup>55</sup> Ibid., paragraph 12.28.



decided to withdraw all national soldiers from Rwanda. Romeo Dallier accuses the officials of leaving him with "chaos".<sup>56</sup>

This thing has to be small and inexpensive, otherwise it will never get approved by the Security Council. (Maurice Baril)<sup>57</sup>

Dallaire describes in his book *Shake hands with the devil* the lack of resources and bureaucracy as another problem which had a negative effect on the mission in Rwanda. UNAMIR officials have spent 70 per cent of their time in an "administrative battle".<sup>58</sup> A larger, better-equipped and adequate mandated force could have stopped or at least contain the worst scenario. Most of the UN forces arrived in Kigali late without any supplies or adequate arms.<sup>59</sup> One principle of UN peacekeeping is still the volunteering of member states to ensure financial and logistical support. In most operations, states deploy forces from their individual contingents, and therefore it takes weeks or even months before a decision is made how much money or what size force they can offer.<sup>60</sup>

Furthermore, the Security Council had rejected the "ideal recommendation" of Dallaire to deploy 5500 troops for monitoring the peace process. After Kofi Annan has strongly emphasised that at least half of the claimed troops are required, the Security Council deployed 2500 troops. The small contingent was finally cut down because of the Belgian withdrawal after the beginning of the genocide. April 21, 1994, saw the next shock for Dallaire. The Security Council released a resolution, to withdraw all UN forces from Rwanda. Dallaire had refused the order and persuaded 450 soldiers to stay in Kigali.<sup>61</sup>

Lastly, Dallaire and his under-equipped, small contingent could not use force against those committing genocide. It was not within the scope of their mandate. Dallaire asked on several occasions for the permission to extend the mandate from Chapter VI to Chapter VII, but it was in vain. The UN "condemned" its forces to be bystanders.<sup>62</sup>

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<sup>56</sup> "The last just man", documentary film by Stephen Silver, 2003.

<sup>57</sup> Roméo Dallaire, *Shake hands with the devil* (Toronto: random House, 2003), p. 56.

<sup>58</sup> International Panel of eminent personalities (2000), paragraph 15.32.

<sup>59</sup> "The last just man", documentary film by Stephen Silver, 2003.

<sup>60</sup> Mats R. Berdal (1993), p. 6 and p. 8.

<sup>61</sup> "The last just man", documentary film by Stephen Silver, 2003.

<sup>62</sup> Ibid.

In 1998, two organisations<sup>63</sup> and the U.S. Army had tested with the help of a theoretical simulation, if the genocide in Rwanda could be prevented with right equipment and the right mandate. Thirteen senior military leaders concluded in the final report:

"A modern force of 5000 troops...appropriately trained, equipped and commanded, and introduced in timely manner, could have stemmed the violence in and around the capital, prevented its spread to the countryside...<sup>64</sup>".

## Conclusion

International Peacekeeping improved immensely since the end of the Cold War. Officially, the UN decided to respond to internal conflicts with humanitarian assistance to mitigate humanitarian disasters. But also the tendency is identifiable to protect human rights and maintain international peace and security by preventing internal wars which could spill over to other countries; the UN has implemented formally a pioneering enhancement.

Especially the commitment to protect populations rather than states and to deploy peacekeeping forces for this purpose made clear that the UN has established a basis to respond to massive human rights violations. This procedure was also commonly recognised within the UN and the principle of sovereignty had been eroded.

Nonetheless, genocides and massive human rights violations happened afterwards and international interventions were lacking or did never happen. Reasons for these failings are for example a lack of political will, the fear of states to lose soldiers and to take responsibility on the national level, lack of resources and money, and so on.

The well-minded papers, such as *Responsibility to protect*, *Agenda for Peace* and the *Brahimi Report*, are excellent statements for the commitment regarding adequate responses to humanitarian disasters. But the recent case Sudan shows once again that the UN can not back up its words with action to respond to the situation in Darfur. It is very controversial that adequate responses will be implemented at a good pace in future when it comes to other massive human right violations. The UN is just a *club* of nations which

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<sup>63</sup> Carnegie Commission on Preventing Deadly Conflict and the Institute for the Study of Diplomacy at Georgetown University in Washington, D.C.

<sup>64</sup> International Panel of eminent personalities (2000), paragraph 10.9.

have specific interests. The nations have defined the rules of this *club* and therefore can tell the *club* what to do.

And to be honest, dozen of conflicts exist at this time which includes massive human rights violations or a threat to the population and even to international peace. But nothing is happening, precisely because the UN has not the capacity to deploy peace-keeping operations or the political will does not exist.

One example is the prolonged war in Sudan which ended now after 20 years with a peace agreement. Human rights organisations, like Amnesty International, reported on violations of human rights and recently on the killing of people which could fulfil the definition of the Convention on genocide. And again, the UN had just sent UN observers and will implement an UN mission to monitor the implementation of final peace terms signed between the Sudanese government and southern rebels of the Sudan People Liberation Movement/Army.

To challenge the pessimistic view that the UN could never back up its words with action, because of the strong national and geopolitical interests of the powerful member states which could give resources, new mechanisms have to be found to reform international interventions. The innovative documents of the early 1990s, such as *Responsibility to protect*, which should testify the willingness of member states to protect human rights and maintain international peace, just keep up appearances.

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